

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Hon. Janet T. Neff

v.

Case No. 1:21-cr-00082

VAL JAMES LECLAIRE, II,

Defendant.

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ORDER OF DETENTION

This matter is before the Court on the government's motion for pretrial detention. Defendant has been charged in an Indictment. The Indictment charges him with conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine, in violation of 21 U.S.C. §§ 846, 841(a)(1) and (b)(1)(A)(vii). Given the nature of the charges, there is a statutory rebuttable presumption in favor of detention.

The government sought defendant's detention on the basis that he is a danger to the community, 18 U.S.C. § 1342(f)(1), and that he poses a significant risk of flight, 18 U.S.C. § 3142(f)(2)(A). The Court conducted a hearing on May 14, 2020, at which defendant was represented by counsel.

Having considered the information presented at the hearing, the parties' oral submissions, and the information in the Pretrial Services Report, and for the reasons stated on the record, the Court finds that defendant has rebutted the statutory presumption of detention as to significant risk of flight, but not as to danger to the

community. The Court alternatively finds, as explained on the record, that the government has met its burden by preponderant evidence that defendant poses a significant risk of non-appearance and by clear and convincing evidence that he poses a danger to the community. The Court further finds that there is no condition or combination of conditions that will ensure the appearance of defendant and the safety of the community. Accordingly,

IT IS ORDERED that defendant is committed to the custody of the Attorney General pending trial.

DONE AND ORDERED on May 15, 2021.

/s/ Phillip J. Green
PHILLIP J. GREEN
United States Magistrate Judge